THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 5536 of 2006

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Dated:23.03.2006

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Between:

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S.Venkata Krishna S/o Venkateswarlu,

R/o Hussainapuram, Kurnool,

Kurnool District and others.

… **PETITIONERS**

And:

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The Director of Government Examinations,

Andhra Pradesh, Hyderabad and another.

…**RESPONDENTS**

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 5536 of 2006

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ORDER:

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This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents in not issuing the hall tickets to the petitioners on the basis of the letter

of the District Educational Officer, dated 17.03.2006, as arbitrary and illegal.

It is stated in the affidavit filed in support of this writ petition that the petitioners, who are seven in number, wanted to appear for the SSC examinations which were scheduled to be commenced from 21.03.2006. They have submitted their application forms by paying the requisite examination fee to the Head Master, Zilla Parishad High School, Hussainapuram. However, a Junior Assistant in the School, by name
Sri Jayaprakash, has misappropriated the amount of fee paid by them and the same was not transmitted to the respondents to process their applications for issuing hall tickets.

It is the case of the petitioners that the District Educational Officer, who has conducted an enquiry, addressed a letter to the Director of Government Examinations, first respondent herein, to consider their applications and allow them to write the examinations, which were scheduled to be commenced from 21.03.2005. However, the first respondent has not considered the same and ultimately the hall tickets were not issued to them. Questioning the same, the petitioners approached this Court by filing the instant writ petition.

On the other hand, the learned Government Pleader for School Education, on instructions, submits that even prior to receipt of the letter dated 17.03.2006, hall tickets were prepared and despatched to the concerned Districts along with question papers equivalent to the strength of the students, who are appearing for the examinations. In that view of the matter, it is not possible to allow the petitioners to write the examinations, which are already commenced. However, it is further submitted that the respondents have decided to allow such of the students, who were prevented from writing the examination on account of the fact that their examination fee was not transmitted and misappropriated by an employee of the School, for the instant examinations, which will be conducted immediately after the regular examinations, thereby they will not loose the academic year.

Further, it is to be noted that even according to the submissions of the petitioners in the affidavit, the fee, which was paid by them in the school, was not transmitted to the respondents and the same was misappropriated by one of the employees of the School. In that view of the matter, no fault can be attributed to the respondents herein for not issuing the hall tickets and not making arrangements permitting them to appear for examinations, which are commenced from 21.03.2006. However, as it is stated by the learned Government Pleader that the petitioners will be allowed to write the instant examinations, I dispose of the writ petition directing the respondents to allow the petitioners to write the instant examinations and issue necessary hall tickets enabling them to write the instant examinations.

Subject to the above directions, the writ petition is disposed of. There shall be no order as to costs.

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23.03.2006

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